

REMARKS

Claims 1-5 and 9-18 are pending in the present application. Applicants herein have amended claims 1 and 15, cancelled claim 14, and added new claim 19. The amendment of claim 1 is essentially the addition of the limitation that the ionomer be employed in aqueous form. Support for the amendment can be found in previously pending claim 13. Accordingly, the amendment raises no new issue nor introduces new matter.

New claim 19 has been added in which the ionomer solution has an ionomer concentration of 20% in water. Support for this amendment can be found on page 6, line 20, of the specification.

In the March 8th Office Action, the Examiner rejected claims 1-5, 9-13 and 15-18 as unpatentable over Fischer (DE 196 11 510) in view Goller *et al.* (US Patent 4,185,131). Claim 14 was also rejected as indefinite because of the use of the trademark NAFION®. Applicants have herein cancelled claim 14, so this rejection is believed to be moot.

With respect to the rejection based on Fisher and Goller, Applicants respectfully disagree with the Examiner's position. As set forth in detail in Applicants' previous response, Fischer is silent as to the use of a linear dialcohol with a flash point higher than

100°C as an organic solvent inking vehicle. Rather, Fischer uses glycerine in the ink vehicle. However, despite Applicants' belief that the invention defined by the previously pending claims was patentable over Fischer, Applicants have nevertheless amended claim 1 to incorporate the limitation that the ionomer be employed in aqueous form. Fischer describes the use of a 5% strength ionomer solution in 90 parts isopropanol and 10 parts water (see, comparative example 1, page 4, lines 58-59). Since this ionomer solution contains 90% isopropanol, the ionomer is in isopropanolic form, not in aqueous form. The isopropanol-containing ionomer solution is not equivalent to the aqueous form as evidenced by the fact that the isopropanol leads to unwanted ignition and short screen life (see, the specification, page 3, lines 49).

With respect to the Goller reference, as previously noted the Goller inks are significantly different from the inks of the present invention in that they do not contain ionomer. Instead, Goller inks contain Teflon (PTFE). Upon drying, the Goller inks are not electrocatalytically active. The inks of Goller furthermore do not contain electrocatalyst material. Last but not least, Goller inks do not contain any water. They contain purely solvents, i.e. a mixture of glycerine and ethylene glycol. Water is not taught or disclosed.

Thus, even if the combination of Goller and Fischer was proper (which Applicants contend it is not for the reasons set forth in their last response), the resulting ink certainly would not contain an ionomer in aqueous form (as required by the present

Applicant: STARZ, et al.
Serial No.: 09/915,764
Filing Date: July 27, 2001
Amendment and Reply to Final Office Action – August 4, 2006
Page 6 of 6

claims), since neither reference teaches or discloses this characteristic. The isopropanolic solution of Fischer when combine with the glycerine/ethylene glycol solvent of Goller would not even suggest the limitation of pending claim 1 that the ionomer be employed in aqueous form. Accordingly claim 1 and the dependent claims thereof are distinct and patentable over the cited references.

Based on the above remarks, applicants respectfully request reconsideration of the rejections based on the combination of Fischer and Goller. Entry of the present amendment and allowance of the present application are respectfully solicited.

A check in the amount of \$450.00 is enclosed to cover the fee for a two-month extension of time. If any additional fees are due, or an overpayment has been made, please charge, or credit, our Deposit Account No. 11-0171 for such sum.

If the Examiner has any questions regarding the present application, the Examiner is cordially invited to contact Applicants' attorney at the telephone number provided below.

Respectfully submitted,


John J. Santalone
Registration No.: 32,794
Attorney for Applicants

Kalow & Springut LLP
Telephone No.: (212) 813-1600